

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING

OF

TUESDAY, APRIL 12, 1983

AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Cleator at 9:46 a.m. and immediately recessed to convene as the Redevelopment Agency. The meeting was reconvened by Deputy Mayor Cleator at 10:38 a.m. with all members of the council present. Deputy Mayor Cleator recessed the meeting at 12:10 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Cleator at 2:08 p.m. with all members of the Council present. The meeting was recessed by Deputy Mayor Cleator at 4:23 p.m. The meeting was reconvened by Deputy Mayor Cleator at 4:30 p.m. with all members of the Council present. The meeting was recessed by Deputy Mayor Cleator at 4:36 p.m. to reconvene as the Redevelopment Agency. The Council meeting was reconvened by Deputy Mayor Cleator at 6:05 p.m. with Council Member Mitchell not present. Deputy Mayor Cleator adjourned the meeting at 6:12 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor-vacant.
  - (1) Council Member Mitchell-present.
  - (2) Council Member Cleator-present.
  - (3) Council Member McColl-present.
  - (4) Council Member Jones-present.
  - (5) Council Member Struiksma-present.
  - (6) Council Member Gotch-present.
  - (7) Council Member Murphy-present.
  - (8) Council Member Martinez-present.
- Clerk-Abdelnour (mp a.m.; jb p.m.)

FILE LOCATION:

MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

Mayor-vacant.

Council Member Mitchell-present.

Council Member Cleator-present.

Council Member McColl-present.

Council Member Jones- present.

Council Member Struiksma-present.

Council Member Gotch- present.  
Council Member Murphy-present.  
Council Member Martinez- present.

ITEM-330:

19830412

Four actions relative to the improvement of Logan Heights  
Block Grant Alleys and Sewer Main Replacement Contract No. 1  
under the Municipal Improvement Act of 1911 and Resolution of  
Intention R-258021, adopted February 28, 1983:

(See City Manager Report CMR-83-55. Southeast San Diego  
Community Area. District-4.)

Subitem-A: (R-83-1256) ADOPTED AS RESOLUTION R-258246

Adopting the plans and specifications for Logan Heights  
Block Grant Alleys and Sewer Main Replacement Contract No. 1.  
Subitem-B: (R-83-1259) ADOPTED AS RESOLUTION R-258247

Resolution of feasibility for the improvement of Logan  
Heights Block Grant Alleys and Sewer Main Replacement Contract  
No. 1.  
Subitem-C: (R-83-1257) ADOPTED AS RESOLUTION R-258248

Ordering the work for Logan Heights Block Grant Alleys and  
Sewer Main Replacement Contract No. 1.  
Subitem-D: (R-83-1258) ADOPTED AS RESOLUTION R-258249

Inviting sealed proposals for bids to improve Logan Heights  
Block Grant Alleys and Sewer Main Replacement Contract No. 1.  
FILE LOCATION: STRT D-2240

COUNCIL ACTION: (Tape location: C260-268).

Hearing began at 11:32 a.m. and halted at 11:33 am.

MOTION BY MITCHELL TO CLOSE THE HEARING AND ADOPT SUBITEMS A  
THROUGH D. Second by Gotch. Passed by the following vote:  
Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea,  
Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-331: CONTINUED TO APRIL 19, 1983, AT 10:30 A.M., TIME CERTAIN

19830412

Matters of:

1) Rezoning a portion of Section 28, Township 18 South,

Range 2 West, S.B.B.M. (approximately 6.2 acres), located at the southeast intersection of Palm Avenue and 19th Street from Zone R-2 (Flood Plain Fringe Overlay) to Zone R-2A, in the Otay Mesa-Nestor Community Plan area.

(Case-82-0510. District-8.)

2) Proposed amendment to the Otay Mesa-Nestor Community Plan to incorporate the redesignation of the above described real property from low-medium density residential use to medium density residential use.

3) Proposal to amend the Progress Guide and General Plan for the City of San Diego - to amend the map concerning that portion covered by the proposed amendment to the Otay Mesa-Nestor Community Plan.

Subitem-A: (R-83-1439)

Adoption of a Resolution certifying that the information contained in Mitigated Environmental Negative Declaration END-82-0510 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-83-194)

Introduction of an Ordinance for R-2A Zoning.

Subitem-C: (R-83-1473)

Adoption of a Resolution approving the community plan amendment to be effective when the amendment to the General Plan Map is adopted after a hearing on or about June 28, 1983.

FILE LOCATION: Subitems A,C LAND Otay Mesa-Nestor Community Plan;

Subitem B ZONE 4/12/83

COUNCIL ACTION: (Tape location: H080-090).

Hearing began at 4:31 p.m. and halted at 4:32 p.m.

MOTION BY MARTINEZ TO CONTINUE TO APRIL 19, 1983, AT 10:30 A.M., AT HIS REQUEST. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-332: CONTINUED TO APRIL 19, 1983, AT 11:00 A.M.

19830412

(Continued from the meeting of March 22, 1983 at the City Manager's request.)

Five actions relative to the Alta Vista Annexation Water and Sewer System, Assessment District No. 3960, under Resolution of Intention R-257951, adopted February 14, 1983. (Municipal Improvement Act of 1913):

(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-83-1404)

Ordering changes and modifications in proceedings and assessments in an assessment district pursuant to the Municipal Improvement Act of 1913, Division 12 of the Streets and Highways Code of the State of California.

Subitem-B: (R-83-1405)

Overruling and denying protests and making certain findings in a special assessment district.

Subitem-C: (R-83-1406)

Finding and determining that the public interest, convenience and necessity require certain acquisition and improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply.

(8 votes required)

Subitem-D: (R-83-1407)

Confirming the assessment and ordering the improvements made, together with appurtenances, and approving the City Engineer's report.

Subitem-E: (R-83-1408)

Accepting proposal and making award of sale of bonds, and providing for the establishment of a redemption fund for the payment of said bonds.

FILE LOCATION: STRT D-2189

COUNCIL ACTION: (Tape location: J282-290).

Hearing began at 6:09 p.m. and halted at 6:10 p.m.

MOTION BY MARTINEZ TO CONTINUE TO APRIL 19, 1983, AT 11:00 A.M., AT CITY MANAGER'S REQUEST. Second by Murphy. Passed by the following vote: Mitchell- not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-333:

19830412

(Continued from the meeting of March 8, 1983 at the applicant's request.)

Matter of the appeal of Howard Frank and Joseph Milchen by McDonald, Hecht, Worley and Solberg, from the decision of the Planning Commission in denying Conditional Use Permit CUP-83-0053 to allow professional office uses in a historically designated residence, on a .23 acre site in the R-1-5 Zone. The property is located at 136 Redwood Street in the Uptown Community Plan area and is further described as Lots G and H, Block 360, Horton's Addition.

(CUP-83-0053. District-8.)

Subitem-A: (R-83- ) DEEMED DENIED

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-83-0053 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-83- ) DEEMED DENIED

Adoption of a Resolution granting or denying the appeal and the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM CUP-83-0053

COUNCIL ACTION: (Tape location: B109-D193).

Hearing began at 10:38 a.m. and halted at 12:10 p.m.

Testimony in favor by Paul Robinson, Marie Leah, and Eleanor Meadows.

Testimony in opposition by A. McGowan, Susan Fleming, Audrey McGowan, Harold Kirsch, and Leon Rosenstein.

Motion by Gotch to direct the Planning Department to create a special planned district within the area to insure that the single family is kept as a part of the Uptown Community Plan. No second. Motion withdrawn.

MOTION BY MARTINEZ TO CLOSE THE HEARING AND APPROVE THE APPEAL.

Second by Gotch. Failed by the following vote: Mitchell-nay, Cleator-nay, McColl-nay, Jones-nay, Struiksma-nay, Gotch-nay, Murphy-nay, Martinez-yea, Mayor-vacant.

ITEM-334:

19830412

Matter of rezoning all of Stratton Acres Unit No. 1,

Map-10246 and a portion of Lot 3, Caruther's Addition, Map-27 (approximately 5.94 acres), located on Logan Avenue between 44th Street and 45th Street, in the Southeast San Diego Community Plan area, from Zone R-1-5 to Zone R-2.

(Case-82-0629. District-4.)

Subitem-A: (R-83-1459) ADOPTED AS RESOLUTION R-258250

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-82-0629 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-83-199) INTRODUCED, TO BE ADOPTED APRIL 25, 1983

Introduction of an Ordinance for R-2 Zoning.

FILE LOCATION: ZONE 4/12/83

COUNCIL ACTION: (Tape location: C269-287).

Hearing began at 11:33 a.m. and halted at 11:34 a.m.

MOTION BY JONES TO CLOSE THE HEARING, ADOPT THE RESOLUTION,

AND

INTRODUCE THE ORDINANCE. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-335:

19830412

Matter of rezoning a portion of Lots A-52, A-53 and A-54, San Ysidro, Map-1174, a portion of Launderers Road closed and a portion of abandoned railroad right-of-way (approximately 2 acres), located at 202 San Ysidro Boulevard, in the San Ysidro Community Plan area, from Zone R-4 to Zone C-1.

(Case-82-0513. District-8.)

Subitem-A: (R-83-1480) ADOPTED AS RESOLUTION R-258251

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-82-0513 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-83-202) INTRODUCED, TO BE ADOPTED APRIL 25, 1983

Introduction of an Ordinance for CA Zoning.

FILE LOCATION: ZONE 4/12/83

COUNCIL ACTION: (Tape location: C288-335).

Hearing began at 11:35 a.m. and halted at 11:37 a.m.

MOTION BY MARTINEZ TO CLOSE THE HEARING, ADOPT THE RESOLUTION,

AND INTRODUCE THE ORDINANCE. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-336:

19830412

Matter of rezoning a portion of Section 32, Township 14 South, Range 2 West, S.B.B.M. (approximately 9.75 acres), located on the northwest corner of Gold Coast Drive and Black Mountain Road, in the Mira Mesa Community Plan area, from Zone A-1-1 to Zone CO.

(Case-82-0472. District-5.)

Subitem-A: (R-83-1478) ADOPTED AS RESOLUTION R-258252

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-82-0472 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-83-201) INTRODUCED, TO BE ADOPTED APRIL 25, 1983

Introduction of an Ordinance for CO Zoning.

FILE LOCATION: ZONE 4/12/83

COUNCIL ACTION: (Tape location: H091-096).

Hearing began at 4:35 p.m. and halted at 4:36 p.m.

MOTION BY STRUIKSMA TO CLOSE THE HEARING, ADOPT SUBITEM-A AND INTRODUCE SUBITEM-B. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-337: DENIED APPEAL, GRANTED PERMIT AS AMENDED

(Continued from the meetings of March 1, 1983 and March 29, 1983; last continued at Council Member Mitchell's request for full Council.)

Matter of the appeal of La Jolla, Inc., et al, from the decision of the Planning Commission in approving Conditional

Use Permit

CUP-82-0481 (an amendment to CUP-554PC), to construct and use a parking garage to serve existing research offices, medical offices and research lab and to increase the limit of employees from 450 to 714. The property is located in the 400 block (east side) of Coast Boulevard South and is more particularly described as Lots 1-2, Lots 4-26, portion of Lot 33 and Lots 34-50, Block 17 of La Jolla Park, Map-352 in the R-3 Zone, in the La Jolla Community Plan area.

(CUP-82-0481. District-1.)

19830412

Subitem-A: (R-83-1662) ADOPTED AS RESOLUTION R-258253

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-82-0481 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-83-1663) ADOPTED AS RESOLUTION R-258254,  
DENYING THE APPEAL, GRANTING THE  
PERMIT AS AMENDED

Adoption of a Resolution granting the appeal and denying the permit, or denying the appeal and granting the permit with appropriate findings to support Council action.

FILE LOCATION: PERM CUP-554PC

COUNCIL ACTION: (Tape location: E012-H074).

Hearing began at 2:09 p.m. and halted at 4:22 p.m.

Testimony in favor of the appeal by Mary Somerville, Nancy Ward, Ottis Berry, Ruth Potter, and Marguerite Sard.

Testimony in opposition to the appeal by Jay Wexler, Robert Hartney, Jane Sigaigo-Cox, Jim Colachis, and Leroy Henrikson.

Motion by Mitchell to uphold the appeal and deny the permit.

Second by Gotch. Failed. Yeas: 1,6. Nays: 2,3,4,5,7,8 Vacant: M.

MOTION BY JONES TO CLOSE THE HEARING, ADOPT SUBITEM-A AND  
SUBITEM-B, DENYING THE APPEAL AND GRANTING THE PERMIT AS

AMENDED BY

INCORPORATING 1) THE PLANNING COMMISSION'S REQUIREMENTS THAT  
THE

NUMBER OF EMPLOYEES WOULD BE ALLOWED TO INCREASE FROM 589 TO  
714 ON

THE CONDITION THAT ANY INCREASE SHALL NOT RESULT IN MEASURABLE  
IMPACT ON ON-STREET PARKING OR PEAK-HOUR TRAFFIC IN LA JOLLA; 2)  
THE



CONDITION BY THE COUNCIL THAT A SURVEY OF THE EFFORTS MADE TO MITIGATE THE PARKING AND TRAFFIC PROBLEMS SHALL BE MADE IN ONE YEAR;

AND 3) THE REFERENCED ITEMS FROM THE MEMORANDUM DATED MARCH 17, 1983

FROM JAY WEXLER, ET AL TO DAN DROBNIS, ET AL AS FOLLOWS:

PAGE 2, ITEM 2 - "THE GARAGE PROPOSED FOR THE EMPLOYEE PARKING WOULD BE FOR THAT PURPOSE ONLY, EXCEPT FOR SPECIAL USES FOR CULTURAL

EVENTS WITHIN THE AREA ON A SCHEDULED BASIS AT OFF HOURS, AND FOR

TRANSIENT DELIVERY PURPOSES (I.E., MAIL, UPS, ETC.)."

"THE GARAGE WOULD BE CARD-KEY SECURED (OR LIKE SECURITY) AND THE

SPACES WOULD BE ALLOTTED TO THE TENANTS AND PAID FOR (AMORTIZED)

WITHIN THE RENT STRUCTURE, AND THAT THOSE ALLOTMENTS WOULD NOT BE

CHARGED TO THE EMPLOYEES OF THE TENANTS."

"THE TENANTS WOULD BE PROHIBITED FROM USING THEIR ALLOTTED SPACES

FOR ANY COMMERCIAL PURPOSES."

PAGE 3, ITEM 4 - "THE SR ZONE REQUIREMENTS AS THEY WOULD APPLY ONLY TO EXTERNAL EFFECTS (EMISSIONS, HEALTH AND SAFETY) WOULD APPLY

TO THE ENTIRE PROPERTY."

PAGE 3, ITEM 5 - "BUS PASSES WOULD BE SUPPLIED TO ALL EMPLOYEES REQUESTING SAME AT NO CHARGE TO ENCOURAGE BUS ENTRY INTO THE AREA IN

LIEU OF CARS."

PAGE 3, ITEM 6 - "VANPOOLING, WHICH IS SUCCEEDING ON THE PROPERTY IS ENCOURAGED, AND SHOULD BE CONTINUALLY ENCOURAGED TO LIMIT AUTOS

WITHIN AND SURROUNDING THE SITE."

PAGE 3, ITEM 7 - "CARPOOLING, WHICH IS CURRENTLY SUCCEEDING ON THE PROPERTY, IS ENCOURAGED, AND SHOULD BE CONTINUALLY ENCOURAGED TO

LIMIT AUTOS WITHIN AND SURROUNDING THE SITE."

PAGE 3, ITEM 8 - "BICYCLING TO THE SITE IS ENCOURAGED, AND IT IS AGREED THAT BICYCLE PARKING (AND/OR STORAGE) BE PROVIDED BY THE

DEVELOPER WITHIN THE PARKING STRUCTURE WITH SECURITY ACCESS TO THOSE

WHO DO BICYCLE TO THE SITE."

Second by Murphy. Passed by the following vote: Mitchell-nay,

Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea,  
Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S500: (O-83-206) CONTINUED TO APRIL 19, 1983, AT 11:00 A.M.

Introduction of an Ordinance creating a cost recovery  
district within the Alta Vista Water and Sewer Assessment  
District, Assessment District No. 3960. (Municipal Improvement  
Act of 1913).

(See City Manager Report CMR-83-128. Southeast San Diego  
Community Area. District-4.)

FILE LOCATION:

STRT D-2189

COUNCIL ACTION: (Tape location: J282-290).

MOTION BY MARTINEZ TO CONTINUE TO APRIL 19, 1983, AT 11:00 A.M.

Second by Murphy. Passed by the following vote: Mitchell-not  
present, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea,  
Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S501:

19830412

(Continued from the meeting of April 5, 1983 at Deputy Mayor  
Cleator's request.)

Matters of:

1) Approving the Development Agreement for the Santa Fe  
Properties Development Plan.

2) Certifying the Supplemental Environmental Impact Report  
for the project and adopting findings pursuant to the  
California Environmental Quality Act.

The Santa Fe Properties Development Agreement includes  
development of 4.2 million square feet of office, retail and  
hotel uses and 4500 parking spaces located within the Centre  
City area and bounded by Ash Street on the north, "F" Street on  
the south, Kettner Boulevard on the east and Pacific Highway on  
the west.

(District-8.)

Subitem-A: (R-83-1474) ADOPTED AS RESOLUTION R-258255

Adoption of a Resolution certifying that the information  
contained in the Supplemental Environmental Impact Report  
prepared for the project has been completed in compliance with  
the California Environmental Quality Act of 1970 and State

guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-83-200) ORDINANCE INTRODUCED, TO BE ADOPTED  
APRIL 25, 1983

Introduction of an Ordinance for the development agreement.

FILE LOCATION: DEVL -Santa Fe

COUNCIL ACTION: (Tape location: J227-278).

Hearing began at 6:05 p.m. and halted at 6:08 p.m.

Testimony in favor by Roy Potter and Paul Peterson.

Testimony in opposition by Sandy Latham, Michael Sullivan, and Jim Dawe.

MOTION BY MARTINEZ TO CLOSE THE HEARING AND ADOPT SUBITEM-A. Second by Struiksma. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

MOTION BY MARTINEZ TO INTRODUCE SUBITEM-B. Second by Murphy. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-UC-1: (R-83-1664) ADOPTED AS RESOLUTION R-258256

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Appointing Council Member McColl to fill the vacancy on the Public Services and Safety Committee created by the departure of Susan Golding.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: J291-304).

MOTION BY MARTINEZ TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Cleator at 6:12 p.m.

FILE LOCATION:

MINUTES